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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,707	03/17/2004	Hung-Huei Cheng	MR1197-612	1848
4586	7590	07/26/2005	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			REHM, ADAM C	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No. 10/801,707	Applicant(s) CHENG, HUNG-HUEI	
	Examiner Adam C. Rehm	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213./

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by GAUTHIER ET AL. (US 4,161,768). GAUTHIER provides a gather decoration of bulb assemblies (15, Fig. 1) including a light string (7/8, Column 1, Lines 46-47) with several bulb assemblies (15) having the same configuration for gathering on a decorative frame at a same position (Fig. 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over GAUTHIER ET AL. (US 4,161,768) in view of SHATTAN (US 5,422,797).
3. GAUTHIER provides a gathering decoration of bulb assemblies (15, Fig. 1) including a branchy frame/light string (7/8, Column 1, Lines 46-47) with many bulb assemblies (15), but does not provide bulb assemblies of two kinds. However, SHATTAN provides multiple light sources (11/15) with several being gathered with a

Art Unit: 2875

flower-type holder (Fig. 8A, Column 5, Lines 40-44) in order to form a pleasing effect (Fig. 9 illustrates two light-source configurations used simultaneously, Column 5, Lines 45-48). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the device as disclosed in GAUTHIER and use the flower-type holders as taught in SHATTAN to provide a pleasing effect.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over ABRAMSON (US 6,050,619).

5. ABRAMSON provides a gathering decoration of bulb assemblies (15, Fig. 1) including a branchy frame (T) with removable and interchangeable covers for miniature bulb assemblies with one kind shown in Fig. 1 and another kind shown and disclosed in Fig. 3 and Column 1, Lines 10-17. ABRAMSON does not explicitly disclose bulb assemblies having a specific arrangement. However, it would have been obvious to one of ordinary skill in the art at the time of invention to modify ABRAMSON and rearrange the flower bulb assembly and miniature bulb assembly around the branch frame, since it has been held that rearranging parts of an invention only involves routine skill in the art. *In re Japikse*, 86 USPQ 70.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. ABRAMSON (US 3,050,619) provides an illuminated decorative floral cover arrangement.

7. HARRIS (US 5,063,485) provides illuminated artificial flowers.

Art Unit: 2875


8. LIN (US 5,899,555) provides an artificial flower lamp assembly.
9. HUANG (US 5,947,582) provides a flower-shaped ornamental lamp.
10. CHANG (US 6,030,670) provides a decorating tree with embellishing lamps.
11. HUANG (US 6,074,073) provides an extension device for decorating lamps having a branchy frame and bulb assemblies.
12. TSENG ET AL. (US 6,719,439) provides a decorative lamp supporting multiple layered petals design.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam C. Rehm whose telephone number is 571.272.8589. The examiner can normally be reached on M-F 9-5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571.272.2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACR 7/21/2005


ALAN CARIASO
PRIMARY EXAMINER